

Wednesday, July 16, 2008

House Meets At...	Votes Predicted At...
10:00 a.m. For Legislative Business	Last Vote: 7:00 p.m.
Fifteen "One Minutes" Per Side	

Any anticipated Member absences for votes this week should be reported to the Office of the Majority Whip at 226-3210.

Floor Schedule and Procedure

- **H. Res. 1343 –Rule providing for consideration of H.R. 5959- Intelligence Authorization Act for Fiscal Year 2009 (Rep. Hastings (FL)-Rules):** The structured rule provides one hour of general debate equally divided and controlled by the Chairman and Ranking Minority Member of the Permanent Select Committee on Intelligence. The rule provides one motion to recommit with or without instructions. Debate on the rule will be managed by Rep. Hastings (FL), and consideration will proceed as follows:
 - One hour of debate on the rule.
 - Possible vote on a Democratic Motion ordering the previous question. **Democrats are urged to vote yes.**
 - Vote on adoption of the rule. **Democrats are urged to vote yes.**
- **H. Res. 1339 –Rule providing for consideration of H.R. 415- to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System (Rep. McGovern-Rules):** The structured rule provides one hour of general debate equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Natural Resources. The rule provides one motion to recommit with or without instructions. Debate on the rule will be managed by Rep. Cardoza, and consideration will proceed as follows:
 - One hour of debate on the rule.
 - Possible vote on a Democratic Motion ordering the previous question. **Democrats are urged to vote yes.**
 - Vote on adoption of the rule. **Democrats are urged to vote yes.**

- **H.R. 5959 – Intelligence Authorization Act for Fiscal Year 2009 (Rep. Reyes-Intelligence)**: Pursuant to the rule, debate on the bill will be managed by Intelligence Permanent Select Committee Chairman Rep. Silvestre Reyes, or his designee, and will proceed as follows:
 - One hour of debate on the bill.
 - Debate and votes on amendments to the bill.
 - Possible debate and vote on a Republican motion to recommit the bill.
 - Vote on final passage of the bill. **Democrats are urged to vote yes on passage of the bill.**

- **H.R. 415 – to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System (Rep. Frank-Natural Resources)**: Pursuant to the rule, debate on the bill will be managed by Natural Resources Committee Chairman Rep. Nick Rahall, or his designee, and will proceed as follows:
 - One hour of debate on the bill.
 - Debate and votes on amendments to the bill.
 - Possible debate and vote on a Republican motion to recommit the bill.
 - Vote on final passage of the bill. **Democrats are urged to vote yes on passage of the bill.**

- **Postponed Suspension Vote (1 Bill)**:
 1. **H.Con.Res. 295** - Expressing the deepest appreciation of Congress to the families of members of the United States Armed Forces (Rep. Bilirakis – Armed Services)

Bill Summary and Key Issues

H.R. 415: to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System

The 106th Congress (Public Law 106-318) authorized a study of a roughly 30-mile segment of the Taunton River in southeastern Massachusetts to determine whether the river is eligible for designation under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.). In response to local petitions, and a request from three Members of the Massachusetts Congressional Delegation, the study was later expanded to include a roughly ten-mile section of the Lower Taunton.

The National Park Service released a draft report in June 2007, finding that the river is eligible and identifying designation of the entire 40-mile segment as the environmentally preferred alternative.

H.R. 415, introduced by Representative Barney Frank (D-MA), amends section 3(a) of the Wild and Scenic Rivers Act to add the Taunton River to the list of rivers designated under the Act. Specifically, the bill implements the study's findings by designating "the segment downstream from the headwaters, from the confluence of the Town River and the Matfield River in Bridgewater, to the Mount Hope Bay in the city of Fall River, Massachusetts."

H.R. 415 was favorably reported to the House of Representatives by voice vote.

Anticipated Amendments to H.R. 415:

1. **Bishop (UT):** Would remove from the bill the designation as a recreational river of a 9-mile segment of the Taunton River from Muddy Cove to the confluence with the Quequechan River at the Route 195 Bridge in Fall River. (10 minutes)
2. **Shuler:** Would amend the bill to state that nothing in this Act shall be construed as affecting the authority, jurisdiction, or responsibility of the Commonwealth of Massachusetts to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, trapping, and recreational shooting, and that nothing in the Act shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting. (10 minutes)
3. **Pearce:** Would require the Secretary of the Interior to report to Congress on the energy resources available on the lands and waters included in the segments of the Taunton River designated by the bill. (10 minutes)
4. **Boyd:** Would require that nothing in the bill impact the supply of domestically-produced energy resources. (10 minutes)

H.R. 5959: Intelligence Authorization Act for Fiscal Year 2009

H.R. 5959 authorizes appropriations for fiscal year 2009 intelligence and intelligence related activities of the US government, including the 16 agencies of the Intelligence Community funded by the National Intelligence Program and the Military Intelligence Program.

The Intelligence Authorization bill adds critical funding to enhance Human Intelligence (HUMINT) collection. Not only does the bill add resources for HUMINT collection against terrorists, it also provides much-needed funds for other enduring and emerging global security issues, such as challenges faced in Asia, Africa, and Latin America.

The bill also provides enhanced funding designed to:

- Modernize signals intelligence (SIGINT) capabilities and link them into a global SIGINT enterprise;
- Increase critical research and development activities;
- Improve foreign language capabilities; and
- Enhance global climate change analysis.

In addition, the bill underscores the themes of Accountability, Oversight, Transparency and Effective Intelligence Management by:

- Limiting use of all covert action funds until the committee is briefed on the all covert actions in effect on April 24, the date of the committee's covert action briefing;
- Requiring report on compliance with the Detainee Treatment Act of 2005 and related provisions of the Military Commissions Act of 2006 regarding detentions and interrogations, as well as all DOJ legal opinions related to these activities;
- Prohibiting the use of contractors for CIA detainee interrogations;
- Limiting personnel growth, including in the Office of the Director of National Intelligence;
- Requiring a National Intelligence Estimate on Syria WMD;
- Requiring semi annual reports on NK, Iran and Syria nuclear and on loose nukes (nuclear trafficking);
- Requiring annual report on resources dedicated to Iraq and Afghanistan;
- Requiring report on Counterintelligence Field Activity (CIFA) becoming part of DIA and the potential extension of law enforcement authorities to DIA;
- Requiring President to report recommendations for creation of an advisory panel on cyber which will review the roles and authorities of IC, DHS and DoD;
- Creating statutory, Senate confirmed IC Inspector General (IG) with the authority to inspect, audit and investigate activities across the IC;
- Mandating CIA IG audits of all covert action programs every three years;
- Amending the National Security Act of 1947 to
 - Clarify that “fully and currently” informed means that the Executive will provide all information necessary for Congress to assess the lawfulness, effectiveness, cost, benefit, etc.
 - Explicitly require full committee notifications unless Chair decides that in the interest of protecting sensitive information that information should be limited
 - Clarify definition of “significant undertaking” or “significant change” which triggers additional notifications related to previously approved covert actions;

- Requiring reporting related to the new pay for performance system before its implementation;
- Requiring guidelines for the implementation of an IC multi-level security clearance approach to increase linguistic and cultural expertise;
- Requiring DNI to create an Ombudsman for Security Clearances, and the Ombudsman to issue a report on the number of contacts, complaints, etc.;
- Requiring OMB to report on security clearances that take more than one year to complete;
- Requiring the DNI IG to conduct audit of security clearance reciprocity;
- Requiring reports on use of contractors; workforce diversity; foreign language proficiency; protecting intelligence officer and agents identities; implementing data efficiency report recommendation;
- Clarifying that select elements of the Coast Guard and DEA are part of the IC; and
- Reviving the Commission to review the status of Research and Development in the IC.

**The classified annex and schedule of authorizations is available for Member review. Members who are interested in reviewing this document should contact the Permanent Select Committee on Intelligence at 5-7690 to schedule a time for review in H-405.*

Anticipated Amendments to H.R. 5959:

1. **Reyes/Murphy, Patrick:** Would add an exception to the alternative fuel procurement requirement, clarifying that the bill does not prohibit an element of the intelligence community from entering into a contract to purchase a generally available fuel that is not an alternative or synthetic fuel or predominantly produced from a nonconventional petroleum source when certain requirements are met. It also would add an assessment of the feasibility of employing foreign nationals lawfully present in the who have previously worked as translators for the Armed Forces or another department or agency of the Federal Government in or to meet the critical language needs of such element. Finally, it would require that the report required in section 412 on intelligence resources dedicated to and include resources dedicated to intelligence analysis. (10 minutes)
2. **Blunt:** Would express the sense of Congress that (1) the defeat of Colombian paramilitary organizations is in the national interest of the United States; (2) the recent rescue of hostages held by the FARC demonstrates the professionalism of Colombian forces; (3) U.S. intelligence and other assistance played a key role in developing and reinforcing Colombian capabilities; and (4) it is critical that U.S. assistance to the Government of Colombia continue. (10 minutes)

3. **Holt:** Would require the Director of National Intelligence to inform all holders of the October 2007 National Intelligence Estimate on 's nuclear program of any new intelligence on 's nuclear program that has emerged since the publication of the NIE. (10 minutes)
4. **Hoekstra:** Would bar the use of funds to prohibit or discourage the use of the phrases "jihadist," "jihad," "Islamofascism," "caliphate," "Islamist," or "Islamic terrorist" within the Intelligence Community or the Federal Government. (10 minutes)
5. **Harman/Ehlers:** Would express the sense of Congress that the Director of National Intelligence should work with other government agencies and the aerospace industry to develop and implement policies to sustain and expand the aerospace industry workforce. (10 minutes)
6. **Kirk:** Would require the Director of National Intelligence to submit to Congress a National Intelligence Estimate on the production and sale of narcotics in support of international terrorism, including the support the Taliban and al Qaeda receive from the sale of narcotics and the shift in production from opium to hashish in Afghanistan. (10 minutes)
7. **Hinchey:** Would instruct the Director of the Central Intelligence Agency to submit a report on the activities of the intelligence community with regard to human rights violations of the Argentine military government from the mid-1970's until the mid-1980's. The amendment also instructs the inclusion of a compilation of declassified documents and consents to the inclusion of a classified annex in the report. (10 minutes)

Quote of the Day

"Do what you feel in your heart to be right, for you'll be criticized anyway. You'll be damned if you do, and damned if you don't."

- Eleanor Roosevelt